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Thanos Karras

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MCANDREWS HELD & MALLOY, LTD
500 WEST MADISON STREET
SUITE 3400
CHICAGO, IL 60661

EXAMINER

MORGAN, ROBERT W

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3626

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Advisory Action

In the remarks, Applicants argue in substance that, (1) Killcommons email package does not teach providing a treatment or any other such service to a user; (2) Killcommons system only provides data and information but not services; and (3) Rothschild fails to disclose a “portal hosted by a remote data center”.

In response to Applicants argument that, (1) Killcommons email package does not teach providing a treatment or any other such service to a user and (2) Killcommons system only provides data and information but not services. The Examiner respectfully submits that Killcommons et al. teaches a server (20, Fig. 2) with components such as a storage unit (30, Fig. 3) for retaining (i.e. storing) data (see: column 7, lines 56-65). In addition, Killcommons et al. teaches that requested data is received by a user unit through a user interface such as a web page, from a server (see: column 5, lines 32-35). In addition, Killcommons et al. teaches that an operator may select from various instances of treatment (medical services) or separate types of data, e.g. laboratory results, radiology with reports of pathologies (see: column 9, lines 37-39). This clearly shows that treatment is a medical service, even if that medical service is educational materials on patient studies.

In response to Applicants argument that, (3) Rothschild fails to disclose a “portal hosted by a remote data center”. The Examiner respectfully submitted that the Rothschild reference, and not Killcommons, *per se*, that was relied upon for the specific teaching of a medical image management system that includes a central data management system (30 Fig. 4), which is located remotely from the medical image system and the remote image viewing system (40, Fig. 4) (see: paragraph 155). Killcommons was relied on for primarily teaching a server (20, Fig. 2) with

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components such as a storage unit (30, Fig. 3) for retaining (i.e. storing) data (see: column 7, lines 56-65). In addition, Killcommons et al. teaches that requested data is received by a user unit through a user interface such as a web page, from a server (see: column 5, lines 32-35). In addition, Killcommons et al. teaches that an operator may select from various instances of treatment (medical services) or separate types of data, e.g. laboratory results, radiology with reports of pathologies (see: column 9, lines 37-39). Thus, the proper combination of the applied references would be the incorporation of Rothschild's medical image management system using a remote data center within the medical network system and method for transfer of information of Killcommons et al.

Applicant's other arguments merely rehash issues addressed in previous Office Action as well as the Final Rejection mailed 3/5/08, and incorporated herein. Thus, the finality of the previous Office Action is maintained.

/Robert Morgan/
Primary Examiner, Art Unit 3626